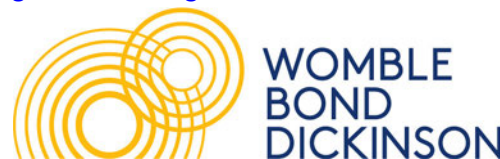


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July 26, 2024

The Honorable Jennifer L. Hall
 United States District Court for the District of Delaware
 J. Caleb Boggs Federal Building
 844 N. King Street, Unit 14, Room 6312
 Wilmington, Delaware 19801-3555

Re: ***Ferring Pharm. Inc. et al. v. Finch Therapeutics Group, Inc. et al,***
No. 21-1694-JLH

Redacted Version of D.I. 401

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Dear Judge Hall:

Pursuant to the Court's order during the July 23, 2024 Pre-Trial Conference, Ferring writes to identify the complete set of documents it intends to rely on during the testimony of Dr. Thomas Borody, should he appear to testify at trial. For purposes of completeness, Ferring has included documents it intends to use only for impeachment in addition to documents it intends to introduce as exhibits. Ferring notes that these documents have been identified based on its current expectations regarding the scope and content of Dr. Borody's testimony; to the extent that intervening events impact the scope of Dr. Borody's testimony, Ferring reserves its right to supplement this list. Ferring has also provided a brief description of the relevance and production information for each document in the table below.

<u>Exhibit No.</u>	<u>Starting Bates No.</u>	<u>Relevance</u>	<u>Production Information</u>
PTX-1313	BORODY_0027476	Copying/Independent Development	Produced by Dr. Borody 3/2/2023
PTX-1539	FINCH_0363588	Ownership	Produced by Finch 12/22/2023
TX-3054	FER_RBX01127168	Invalidity – Obviousness	Produced by Ferring 8/12/2022
TX-3095	FER_RBX01127159	Invalidity – Obviousness	Produced by Ferring 8/12/2022
TX-3178	BORODY_FER00000179 (also produced as BORODY_0005352)	Ownership	Produced by Dr. Ferring 6/5/2024 (also produced by Dr. Borody 2/3/2023)
TX-3266	BORODY_0012851	Copying/Independent Development	Produced by Dr. Borody 2/17/2023
TX-3273	BORODY_0012853	Copying/Independent Development	Produced by Dr. Borody 2/17/2023
TX-3280	UMN_0271554	Copying/Independent Development	Produced by Finch 12/22/2022
TX-3312	UMN_0240296	Invalidity – Obviousness	Produced by Finch 12/22/2022



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TX-3315	UMN_0282692	Invalidity – Obviousness	Produced by Finch 3/15/2023
TX-3353	BORODY_0000455	Copying/Independent Development	Produced by Dr. Borody 2/3/2023
TX-3359	BORODY_0014304	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3435	BORODY_0015248	Copying/Independent Development	Produced by Finch 2/27/2023
TX-3453	BORODY_FER00000184	Ownership	Produced by Ferring 6/5/2024
TX-3472	BORODY_0016351	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3488	BORODY_0016494	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3504	BORODY_0016580	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3509	BORODY_0016612	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3541	FER_RBX02730192	Copying/Independent Development	Produced by Ferring 2/17/23
TX-3544	BORODY_0017287	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3549	BORODY_0017325	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3580	BORODY_0001821	Ownership	Produced by Dr. Borody 2/3/2023
TX-3581	BORODY_FER00000244	Ownership	Produced by Ferring 6/5/2024
TX-3584	FINCH_0088622	Ownership	Produced by Finch 10/11/2022
TX-3589	BORODY_0001939	Ownership	Produced by Dr. Borody 2/3/2023
TX-3592	BORODY_0002096	Ownership	Produced by Dr. Borody 2/3/2023
TX-3642	BORODY_0018686	Copying/Independent Development	Produced by Dr. Borody 2/27/2023
TX-3725	FINCH_0000226	Ownership	Produced by Finch 10/27/2022
TX-3826	FINCH_0368483	Copying/Independent Development	Produced by Finch 12/22/2022
TX-3889	FINCH_0000285	Ownership	Produced by Finch 6/18/2022
TX-3893	FINCH_0304001	Ownership	Produced by Finch 9/23/2022
TX-3939	BORODY_0031186	Ownership	Produced by Dr. Borody 3/2/2023
TX-4123	FINCH_UMN_0016220	Asserted patent	Produced by Finch 9/14/2022



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TX-4152	FINCH_UMN_0016755	Asserted patent	Produced by Finch 2/24/2023
TX-4168	BORODY_0001019	Invalidity – Obviousness	Produced by Dr. Borody 2/3/2023
TX-4239	FINCH_0469365	Ownership	Produced by Finch 6/6/2023
TX-4247	FINCH_0469364	Ownership	Produced by Finch 6/6/2023
TX-4250	FINCH_0469388	Ownership	Produced by Finch 6/28/2023
TX-4251	FINCH_0469392	Ownership	Produced by Finch 6/19/2023
TX-4353	FINCH_0457262	Invalidity – Obviousness	Produced by Finch 2/13/2023

Respectfully submitted,

/s/ Mary W. Bourke

Mary W. Bourke (#2356)

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a true and correct copy of the foregoing
was served on July 26, 2024 upon the following attorneys of record via electronic mail:

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Dated: July 26, 2024

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